

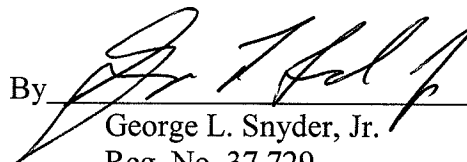
REMARKS

Claim Rejections - 35 USC § 103

The rejection of claim 7 as being unpatentable over US 5575966 (Batz) in view of US 2003/0085394 (Ochoa) is respectfully considered overcome by amendments to claim 7 made herein. Claim 7 is amended to positively recite both a utility pole and a reinforcing truss attached to the pole, wherein the truss is arranged such that its longitudinal edges extend substantially parallel to a vertical longitudinal axis of the utility pole. This arrangement is disclosed at Figs. 2-4 of the instant specification. The amendments distinguish over the guardrail arrangements taught by Batz and Ochoa. Batz describes a sheet metal guardrail 3 attached to vertical posts 4 such that the longitudinal edges of the guardrail extend perpendicular, not parallel, to the longitudinal axis of each vertical post 4. Ochoa teaches a similar arrangement of guardrail beams 34 with respect to vertical support posts 32. In both Batz and Ochoa, the guardrail does not and is not intended to reinforce the post to which it is attached. Consequently, claim 7 now defines subject matter that is patentable over Batz in view of Ochoa. Favorable reconsideration of claim 7 is respectfully requested.

The rejection of claims 11-12 as being unpatentable over Batz is respectfully considered overcome by amendments to claim 11 made herein. Claim 11 is amended in a manner similar to claim 7 to positively recite both a utility pole and a reinforcing truss attached to the pole, wherein the truss is arranged such that its longitudinal edges extend substantially parallel to a vertical longitudinal axis of the utility pole. As discussed above with respect to claim 7, the amendments distinguish over Batz. Claim 12 includes all the limitations of claim 11, and therefore is patentable over Batz for the same reasons. Allowance of claims 11 and 12 is respectfully sought.

Respectfully submitted,
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